



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 26

DECLARATION OF PUBLIC HEALTH EMERGENCY TO SUSPEND OUT-OF-STATE LICENSURE FOR MEDICAL PROFESSIONALS AND PERSONNEL

- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No. 48 KBB 2005;
- WHEREAS,** subsequently, Hurricane Katrina struck the state of Louisiana causing severe flooding and damage to the southeastern part of the state which have threatened the safety, health, and security of the citizens of the state of Louisiana, along with the private property and public facilities;
- WHEREAS,** shortly thereafter, levees broke in the parish of Orleans, exacerbating the flooding and posing further threats to the safety, health, and security of the citizens of Louisiana, private property and public facilities;
- WHEREAS,** although scores of people have been rescued, there are many more persons waiting for rescue, evacuation, and medical assistance, and many citizens have suffered or will suffer injury and/or illness;
- WHEREAS,** the number of medical professional and personnel currently available to the state to respond to this emergency are insufficient and there is a need to immediately supplement their number in order to serve those affected by this disaster;
- WHEREAS,** R.S. 29:766 authorizes the governor to declare a state of public health emergency and to suspend the provisions of any regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency; and
- WHEREAS,** the secretary of the Department of Health and Hospitals and the state health officer have requested that the Louisiana state licensure laws, rules, and regulations for medical professionals and personnel be suspended for those professionals and personnel from other states offering medical services to those needing medical services as a result of this disaster provided that said out-of-state medical professionals and personnel possess current state medical licenses in good standing in their respective states of licensure and that they practice in good faith, and within the reasonable scope of his or her skills, training or ability;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:724, *et seq.*, and more specifically R.S. 29:766, a state of public health emergency is hereby declared.

SECTION 2: The Louisiana state licensure laws, rules, and regulations for medical professionals and personnel are hereby suspended for those medical

professionals and personnel from other states offering medical services in Louisiana to those needing medical services as a result of this disaster provided that said out-of-state medical professionals and personnel possess current state medical licenses in good standing in their respective states of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training or ability.

SECTION 3: All out-of-state medical professionals and personnel offering services to the state of Louisiana by authority of this Order shall be covered by La. R.S. 40:1299.39, *et seq.*, and shall thus be considered agents of the state of Louisiana for tort liability purposes contingent upon said out-of-state medical professional and personnel possessing current state medical licenses in good standing in their respective states of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training or ability.

SECTION 4: All out-of-state medical professionals and personnel offering services to the state of Louisiana by authority of this Order shall submit to the state health officer, or his designee at the Office of Public Health within the Louisiana Department of Health and Hospitals, a copy of their respective licenses and photo identification.

SECTION 5: The suspension of these rules, regulations, and laws shall extend through Sunday, September 25, 2005.

SECTION 6: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 2nd day of September, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

ATTEST BY
THE GOVERNOR

/S/ Al Ater
SECRETARY OF STATE